

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re: BKY No. 24-43428
Isabel Cristina Vilbrandt Medeiros, Ch. 13
Debtor.

**SUPPLEMENT TO MOTION
TO WITHDRAW AS ATTORNEY OF RECORD AND TO CONTINUE
HEARING ON CLAIM OBJECTION; REQUEST FOR SCHEDULING
CLARIFICATION.**

TO: The Debtor, Chapter 13 Trustee, United States Trustee, and to other entities specified in Local Rule 9013-3.

Jeffrey H. Butwinick, counsel of record for Debtor Isabel Cristina Vilbrandt Medeiros, respectfully submits this supplement to the pending Motion to Withdraw [ECF No. 43] and states as follows:

1. The motion to withdraw as counsel is currently set for hearing on July 23, 2025, the same date and time as the scheduled evidentiary hearing on Debtor's Objection to Claim No. 6 (filed by Staring Lake Village Home Association, Inc.).
2. As of the date of this filing, no order has been entered granting counsel's motion to withdraw. Accordingly, under the Minnesota Rules of Professional Conduct Rule 1.16(c) and applicable case law, the undersigned acknowledges his continuing duty to represent the Debtor and will assist in preparing for the evidentiary hearing as required, including compliance with pretrial deadlines.
3. However, undersigned counsel respectfully requests that the Court clarify whether it intends to address the Motion to Withdraw prior to or contemporaneously with the

evidentiary hearing, and further requests that the Court consider ruling on the withdrawal motion first if practicable.

4. Proceeding directly to the evidentiary hearing without addressing the pending withdrawal motion may result in undue prejudice to both the Debtor and counsel. If the hearing is ultimately continued or the objection withdrawn—either by the Debtor directly or through substitute counsel—it may be unfair for the Debtor to be held liable for the HOA’s legal fees incurred in preparing for an evidentiary hearing that becomes unnecessary.

5. Furthermore, if the Court grants the Motion to Withdraw but proceeds with the evidentiary hearing immediately thereafter, the Debtor may be forced to proceed pro se without adequate time to retain substitute counsel or prepare. Given the complexity of the issues involved and the evidentiary requirements set forth in the Court’s scheduling order, this would impose a substantial hardship on the Debtor. Proceeding under such circumstances could result in severe prejudice to her ability to present a meaningful case and significantly increase her exposure to adverse rulings, including the potential imposition of additional lienable attorney’s fees under Minn. Stat. § 515B.3-115. Such an outcome would undermine both the fairness and efficiency of the proceeding.

6. The undersigned submits this supplement in good faith and without intent to delay. Counsel remains willing to assist the Debtor in good faith through the hearing date, if required by the Court.

WHEREFORE, counsel respectfully requests that the Court:

A. Clarify whether it will address the Motion to Withdraw before proceeding with

the evidentiary hearing on July 23, 2025, and

B. Grant such other relief as the Court deems just and appropriate.

Dated: July 15, 2025

/e/ Jeffrey H. Butwinick
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Debtor.

CERTIFICATE OF SERVICE

I hereby certify that on July 11, 2025 a copy of the **NOTICE OF HEARING AND MOTION TO WITHDRAW AS ATTORNEY OF RECORD AND TO CONTINUE HEARING ON CLAIM OBJECTION; MEMORANDUM OF LAW** was served by ECF or First Class Mail to all interested parties listed below:

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Tracy Halliday on behalf of Interested Party NewRez LLC dba Shellpoint Mortgage Servicing
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US Trustee - ustpreion12.mn.ecf@usdoj.gov

Dated: July 15, 2025

/e/ Jeffrey H. Butwinick

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